

Message Text

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ACTION EB-07

INFO OCT-01 IO-11 ISO-00 H-02 /021 W

----- 116428

R 090912Z FEB 76

FM USMISSION GENEVA

TO SECSTATE WASHDC 8020

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E.O. 11652: N/A

TAGS: GATT, ETRD, PFOR

SUBJECT: DISTRIBUTION OF REGULAR GATT CABLES TO CONGRESS FOR
PURPOSES OF MTN

REF: 75 GENEVA 7182, 75 STATE 263650

1. PARA 2 OF REFTEL (GENEVA 7182) FROM THIS MISSION REPORTED OUR PROPOSAL TO MARK "H PASS CODEL" ANY REGULAR GATT MESSAGES (I.E., THOSE NOT SENT BY MTN GENEVA) HAVING SIGNIFICANT AND DIRECT BEARING ON THE MTN.
2. REFTEL (STATE 263650) FROM WASHINGTON STATES THAT MESSAGES "REFERRED TO IN PARA 2 (OF REFTEL (GENEVA 7182))... SHOULD INCLUDE BUT NOT BE RESTRICTED TO THE FOLLOWING TOPICS: ANTI-DUMPING, BALANCE OF PAYMENTS COMMITTEE, GROUP OF 18, SESSION OF GATT CONTRACTING PARTIES, AND GENERALIZED TARIFF PREFERENCES."
3. REQUEST CLARIFICATION OF WHAT WASHINGTON HAS IN MIND BY "REFERRED TO IN PARA 2". OUR READING HERE IS THAT "HAVING A SIGNIFICANT AND DIRECT BEARING ON THE MTN" IS THE GOVERNING CONCEPT. THUS, WE ASSUME THAT IF WE SEND A MESSAGE ON ANTI-DUMPING MATTERS, FOR EXAMPLE, WHICH HAS A SIGNIFICANT AND DIRECT BEARING ON THE MTN, WE ARE TO MARK IT "H PASS CODEL". IF AN ANTI-DUMPING MESSAGE DOES NOT HAVE A SIGNIFICANT AND DIRECT BEARING ON THE MTN, WE WOULD NOT DO SO. ON BORDERLINE CASES, WE ARE TO CONSULT WITH MTN DEL GENEVA.

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4. EXAMPLES OF PRACTICE TO DATE:

(A) 75 GENEVA 8994 ON 31ST SESSION OF GATT
CONTRACTING PARTIES WAS MARKED "H PASS CODEL".

(B) GENEVA 574 ON NEW ZEALAND PRIOR IMPORT DEPOSITS
WAS NOT SO MARKED.

(C) GENEVA 651 ON INDIA'S REQUEST FOR A WAIVER TO
INTRODUCE A NEW TARIFF WAS CHANGED TO "H PASS CODEL"
AFTER CONSULTATION WITH MTN DEL.

5. PLEASE CONFIRM AS SOON AS POSSIBLE WHETHER OUR
ABOVE UNDERSTANDING OF THE INSTRUCTION IN STATE 263650
IS CORRECT. PHELAN

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